



Order Filed on November 20,
2019 by Clerk U.S. Bankruptcy
Court District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

831087
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In Re:

SHAYNE C. PHILLIPS
KELLY T. PHILLIPS

Debtors

Case No.: 19-26738 - JKS

Hearing Date: 11/19/2019 @ 10:00 AM

Judge: JOHN K. SHERWOOD

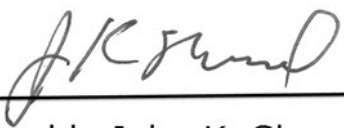
Chapter: 7

Recommended Local Form: ☐ Followed ☒ Modified

ORDER VACATING STAY

____ The relief set forth on the following page is hereby **ORDERED**.

**DATED: November 20,
2019**



Honorable John K. Sherwood
United States Bankruptcy Court

Upon the motion of BANK OF AMERICA, N.A., under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☐ Real Property more fully described as:

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Retail Installment Sale Contract Simple Finance Charge and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☒ Personal property more fully described as:

2018 AUDI Q7 (VIN #WA1VAAF7XJD016546)

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Shayne C. Phillips
Kelly T. Phillips
Debtors

Case No. 19-26738-JKS
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Nov 20, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 22, 2019.
db/jdb +Shayne C. Phillips, Kelly T. Phillips, 5 Davis Terrace, Newton, NJ 07860-2707

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 22, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 20, 2019 at the address(es) listed below:

Kevin Gordon McDonald on behalf of Creditor VW Credit, Inc. kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marshall T. Kizner on behalf of Creditor De Lage Landen Financial Services, Inc.
mkizner@stark-stark.com
Nicholas V. Rogers on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com
Rebecca Ann Solarz on behalf of Creditor VW Credit, Inc. rsolarz@kmlawgroup.com
Sherri Jennifer Smith on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com,
nj.bkecf@fedphe.com
Stephen B. McNally on behalf of Joint Debtor Kelly T. Phillips steve@mcnallylawllc.com,
jennifer@mcnallylawllc.com;lauren@mcnallylawllc.com;b.sr70072@notify.bestcase.com
Stephen B. McNally on behalf of Debtor Shayne C. Phillips steve@mcnallylawllc.com,
jennifer@mcnallylawllc.com;lauren@mcnallylawllc.com;b.sr70072@notify.bestcase.com
Steven P. Kartzman kartztee@optonline.net,
jzapata@msklaw.net;njl6@ecfbis.com;jloewenstein@msklaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9